

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES EQUAL EMPLOYMENT)	
OPPORTUNITY COMMISSION,)	CASE NO. 1:22-cv-02406
)	
Plaintiff,)	THE HONORABLE LYDIA KAY
)	GRIGGSBY
vs.)	
)	
SINCLAIR BROADCAST GROUP, INC.)	
)	
Defendant.)	
)	

EEOC’S MOTION FOR PARTIAL JUDGMENT ON THE PLEADINGS
OR PARTIAL SUMMARY JUDGMENT

The U.S. Equal Employment Opportunity Commission hereby files this Motion for Partial Judgment on the Pleadings or Partial Summary Judgment, moving the Court to enter judgment and dismiss with prejudice Defendant’s Fourth and Eighth Defenses in the Amended Answer, ECF No. 17. This is an action under Title I of the Americans with Disabilities Act of 1990, as amended (ADA), to correct unlawful employment practices on the basis of disability and to seek relief for Kristina Pierre.

Defendant’s Fourth and Eighth Defenses are insufficient defenses, as a matter of law and fact, as each contains only conclusory legal statements without the factual support required to meet the plausibility standard articulated in *Twombly/Iqbal*. Furthermore, the defenses are futile. During a two-day hearing in March and April 2020 at which Defendant was a party and attempted to justify and defend firing Charging Party Kristina Pierre, four of Defendant’s witnesses testified under oath about the facts surrounding her suspension and discharge. Plaintiff’s Exhibit (“PX”) 1 (Maryland Department of Labor, Licensing and Regulation, Division of Appeals, Appeal #2002655). Based on that testimony and various concessions made by the witnesses, Defendant’s

Fourth and Eighth Defenses are futile and cannot be sustained as a matter of law. A memorandum of law accompanies this Motion.

Respectfully submitted:

s/ Emily Datnoff

Emily Datnoff, Bar No. 29464

Trial Attorney

U.S. Equal Employment Opportunity Commission

Baltimore Field Office

31 Hopkins Plaza, Suite 1432

Baltimore, Maryland

emily.datnoff@eeoc.gov

Phone: 410-801-6708

Fax: (443) 992-7880

Counsel for EEOC

CERTIFICATE OF SERVICE

I hereby certify that on April 14, 2023, a true and accurate copy of the foregoing was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system.

/s/ Emily Datnoff

Emily Datnoff
Trial Attorney

Counsel for EEOC